

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

WILLIAM J. PASSARELLA,

Plaintiff

v.

**PA DEPARTMENT OF
CORRECTIONS, COAL TOWNSHIP:
RECORDS DEPARTMENT, CLERK :
OF COURT OF PHILADELPHIA,**

Defendants

CIVIL NO. 3:14-CV-2066

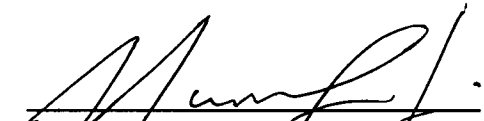
(Judge Munley)

ORDER

AND NOW, to wit, this 6 day of February 2015, in accordance with the court's memorandum of the same date, it is hereby ORDERED that:

1. The motion to proceed *in forma pauperis* (Doc. 2) is construed as a motion to proceed without full prepayment of fees and costs and is GRANTED.
2. Plaintiff's complaint (Doc. 1) is DISMISSED pursuant to 28 U.S.C. §1915(e)(2)(B) (ii) and (iii).
3. Plaintiff's motion (Doc. 4) for appointment of counsel is DENIED.
4. The Clerk of Court is directed to CLOSE this case.
5. Any appeal from this order is DEEMED frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

BY THE COURT:


JUDGE JAMES M. MUNLEY
United States District Court